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FILED

June 10, 2004

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF **CONSUMER** AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE APPLICATION	:	Administrative Action
OF:		
STEVEN SARNER, M.D.		MODIFIED ORDER OF LIMITED REINSTATEMENT OF LICENSE WITH CONDITIONS
FOR REINSTATEMENT OF HIS LICENSE	:	
TO PRACTICE MEDICINE AND SURGERY	:	
IN THE STATE OF NEW JERSEY		

This matter was opened to the New Jersey State Board of Medical Examiners upon receipt of a November 2003 petition for removal of all restrictions from the medical license of **Steven** Sarner, M.D. Dr. Sarner voluntarily surrendered his license to practice medicine and surgery in New Jersey on May 13, 1998, in settlement of an application for temporary suspension of his license based on a Verified Complaint alleging **sexually** inappropriate conduct and **language** directed at three professional colleagues between 1991 and 1996 and failure to cooperate in a **Board investigation** of the matter. A supplemental Verified Complaint **alleged** inappropriate conduct and language of a sexual

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nature with a female patient during 1993-95. Dr. **Sarner** admitted the allegations of the initial Verified Complaint and **pled** no contest to **the** remaining allegations. Via Consent Order dated May 12, 1999, respondent's **license** was suspended for 3 **years**, retroactive to May 13, 1998, the **date** of his voluntary surrender of license. Petitioner applied to the Board for a reduction of **the** active **suspension period** on February 24, 2000, and the Board issued **an** Order of Limited Reinstatement with Conditions on May 22, 2000 which restricted him inter alia to work in a position without patient contact. After the end of the active period of suspension, petitioner submitted an application **seeking** "full and **complete** reinstatement" of his **license** and the **Board** issued a license to practice **medicine** and surgery with limitations and conditions by Order of Limited Reinstatement of **License With** Conditions entered on June 21, 2001.

The Board considered all of the documents submitted and **is** satisfied that Dr. Sarner is sufficiently **rehabilitated** as evidenced by his progress both at work and in therapy. The Board is satisfied that Dr. Sarner may **be** released from some of the requirements in the Order of **June** 21, 2001 to participate in personal psychotherapy, provide reports to the Board and to have a chaperone whenever Dr. Sarner is in the presence of a female patient. The Board is also modifying the reporting **requirements** for Dr. Sarner's supervisor by eliminating **the need** for quarterly

reports but continuing the **requirement that** his supervisor submit an **immediate** report to *the* Board in the **event** Dr. **Sarner** acts in an unprofessional manner in **the** workplace as specified in paragraph **Id** below, as consistent with **the health, safety and welfare of the public.**

IT IS THEREFORE ON THIS *15th* DAY OF *May*, 2004

ORDERED :

1. That a license to **practice** medicine and surgery **shall** be **issued** to **Steven Sarner, M.D., limited** and conditioned as follows:

a. Prior to **beginning work** in any position which requires him to hold a current **New Jersey license to practice medicine and surgery**, or for which **he** represents that he holds such a license, Dr. Sarner shall notify the Board, submit a full description of the employer, the nature of the proposed work, the proposed **supervisor** and the location of the proposed employment and **he shall** obtain Board approval. Approval may **be** granted by the Board **President** subject to ratification of the Board.

b. Respondent shall work only in a structured setting under supervision. Prior to beginning work in any position under this Order, Dr. Sarner shall ensure that the supervisor, who shall **be** approved, is an individual in frequent in-person contact with **him** at **work**, is aware of this matter and has a copy of this Order and all prior Orders of the Board **filed** in connection with this matter.

c. Respondent's supervisor shall agree to immediately (within 24 hours)report to the Board any conduct with a patient or staff member which might be considered violative of paragraph (d) below.

d. Respondent shall take all reasonable professional measures to assure that he shall be sensitive to issues including but not limited to identifying and avoiding circumstances which compromise professional relationships among colleagues, whether perceived by respondent as consensual or otherwise, and shall be sensitive to language and physical conduct which may be realistically perceived by colleagues or patients as professionally inappropriate or sexually threatening.

2. Upon receipt by the Board of any reliable information of any failure by Dr. Sarner to comply with any part of this Order, his license to practice medicine and surgery in the State of New Jersey, shall be immediately and automatically suspended. Dr. Sarner may apply for reinstatement on at least two days notice to the Board and the Attorney General. At any hearing regarding reinstatement the sole issue shall be whether the information as to Dr. Sarner's failure to comply with the Order is incorrect

3. This Order is in effect until further order of the Board.

STATE BOARD OF MEDICAL EXAMINERS

By: 
David M. Wallace, M.D., President